

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: KIM SMITH PIPER	:	CASE NO.: 17-63525-PMB
f/k/a KIM YVONNE SMITH	:	
a/k/a KIM SMITH-PIPER	:	CHAPTER: 13
a/k/a KIM YVONNE SMITH-PIPER, Debtor.	:	

NOTICE OF FILING OF MODIFICATION OF CONFIRMED PLAN, DEADLINE FOR
FILING WRITTEN OBJECTIONS AND HEARING DATE AND TIME IF OBJECTION IS
TIMELY FILED

To: Creditors and Other Parties in Interest

PLEASE TAKE NOTICE that Debtor has filed and served on you a proposed modification to the confirmed plan in this case. Pursuant to Rule 3015(g) of the Federal Rules of Bankruptcy Procedure, any creditor or other party in interest opposing this proposed Modification must file that objection in writing with the Court on or before the following deadline.

DEADLINE FOR FILING OBJECTION: Twenty-four (24) days after the date on which this proposed Modification was filed. The proposed modification was filed on **March 5, 2018**. If the twenty-fourth day after the date of filing falls on a week-end or holiday, the deadline is extended to the next business day.

PLACE OF FILING: Clerk, United States Bankruptcy Court
Room 1340 United States Courthouse
Richard B. Russell Building
75 Spring Street, SW
Atlanta, GA 30303-3367

If you mail an objection to the Court for filing, you must mail it early enough so the Court will receive it on or before the date stated above.

You must also serve a copy on the undersigned at the address stated below and on the Debtor at: **3102 Imperial Circle, Atlanta, GA 30311**

PLEASE TAKE FURTHER NOTICE that if an objection to the proposed Modification is timely filed, the Court will hold a hearing on the modification on **April 12, 2018** at 2:15 p.m. in Courtroom 1202, U.S. Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia. **If no objection is timely filed, the proposed Modification will be effective pursuant to 11 U.S.C. § 1329(b)(2) as a part of the Confirmed Plan without further notice or hearing.**

Dated: 3/05/2018

/s/ Talitha S. Fleming
Talitha S. Fleming, GBN 101022
Attorney for Debtor
T. Fleming & Associates, LLC
5353 Fairington Road, Suite C
Stonecrest, GA 30038
Ph(770) 220-7220 Fax(770) 220-7221
tfleming@flemingbk.com

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE: KIM SMITH PIPER : CASE NO.: 17-63525-PMB
f/k/a KIM YVONNE SMITH :
a/k/a KIM SMITH-PIPER : CHAPTER: 13
a/k/a KIM YVONNE SMITH-PIPER, :
Debtor. :

**POST-CONFIRMATION MODIFICATION OF PLAN
AND REQUEST FOR ITS APPROVAL**

Kim Smith Piper, Debtor, proposes to modify the confirmed Chapter 13 plan in this case as set forth below and requests that this modification be approved.

MODIFICATION OF PLAN

Kim Smith Piper, Debtor, hereby modify the Chapter 13 Plan, which the Court confirmed on December 7, 2017, as follows:

DELETING:

7. Unsecured Claims. Debtor estimates that the total of general unsecured debt not separately classified in Plan paragraph 10 is \$3327.35. After all other classes have been paid, Trustee will pay to the creditors with allowed general unsecured claims a pro rata share of \$2000.00 or 0%, whichever is greater. Trustee is authorized to increase this dollar amount or percentage, if necessary, in order to comply with the applicable commitment period stated in paragraph 2 of this Plan.

10. Other Provisions:

(H). Any federal tax refunds the Debtor is entitled to receive during the applicable commitment period shall be paid into the Debtor's Chapter 13 case. Further, Debtor authorizes and instructs the Internal Revenue Service to send any refund for said years directly to the Debtor's Chapter 13 Trustee. **In the event the tax refund is less than \$1500.00, Debtor may request in writing retention of the refund directly in writing from the Chapter 13 Trustee without the necessity of filing a Motion to Retain with the Court.** Debtor reserves the right to petition the Court for use of the tax refund.

ADDING / SUBSTITUTING:

7. Unsecured Claims. Debtor estimates that the total of general unsecured debt not separately classified in Plan paragraph 10 is \$3327.35. After all other classes have been paid, Trustee will pay to the creditors with allowed general unsecured claims a pro rata share of \$0.00 or 100%, whichever is greater. Trustee is authorized to increase this dollar amount or percentage, if necessary, in order to comply with the applicable commitment period stated in paragraph 2 of this Plan.

Dated: March 5, 2018

Respectfully submitted;

/s/ Talitha S. Fleming
Talitha S. Fleming, GBN 101022
Attorney for Debtor
T. Fleming & Associates, LLC
5353 Fairington Road, Suite C
Stonecrest, GA 30038
Ph(770) 220-7220 Fax(770) 220-7221
tfleming@flemingbk.com

VERIFICATION

I/We, Kim Smith Piper, as petitioner(s) in the foregoing petition, declare, under penalty of perjury, pursuant to Bankruptcy Rule 1008, that the foregoing amendment is true and correct.

/s/ Kim Smith Piper

Dated: 3/02/2018

UNITED STATES BANKRUPTCY COURT
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f/k/a KIM YVONNE SMITH	:	
a/k/a KIM SMITH-PIPER	:	CHAPTER: 13
a/k/a KIM YVONNE SMITH-PIPER, Debtor.	:	

CERTIFICATE OF SERVICE

I certify that I have this date, March 5, 2018, served the following parties with a copy of the Notice of Filing of Modification of Confirmed Plan, Deadline for Filing Written Objections and Hearing Date and Time if Objection is Timely Filed and Post-Confirmation Modification of Plan and Request for Its Approval by mailing a true copy of same with adequate first class postage affixed to assure deliver to:

Melissa J. Davey, Chapter 13 Trustee
260 Peachtree Street, NW - Suite 200
Atlanta, GA 30303

Kim Smith Piper
3102 Imperial Circle
Atlanta, GA 30311

I certify that, by agreement of the parties, Melissa J. Davey, Chapter 13 Trustee, was served via the ECF electronic mail / noticing system.

See attached list of creditors and other parties of interest served.

This 5th day of March, 2018;

/s/ Talitha S. Fleming
Talitha S. Fleming, GBN 101022
T. Fleming & Associates, LLC
5353 Fairington Road, Suite C
Stonecrest, GA 30038
Ph(770) 220-7220 Fax(770) 220-7221
tfleming@flemingbk.com
Attorney for Debtor

Label Matrix for local noticing

113E-1

Case 17-63525-pmb

Northern District of Georgia

BANK OF AMERICA, N.A.

c/o Carrington Mortgage Services, LLC

1600 South Douglass Road

Anaheim, CA 92806-5948

Bank of America

4909 Savarese Circle

Tampa, FL 33634-2413

Capital One Auto Finance
 c/o AIS Portfolio Services, LP
 f/k/a AIS Data Services
 d/b/a Ascension Capital Group
 4515 N. Santa Fe Ave. Dept APS
 Oklahoma City, OK 73118-7901

Central Finl Control
 Po Box 66044
 Anaheim, CA 92816-6044

Capital One Auto Finance
 3901 Dallas Pkwy
 Plano, TX 75093-7864

Credit Control Service
 725 Canton St
 Norwood, MA 02062-2679

Cascade Parc Property Owners Association
 c/o Community Management Associates Inc
 1465 Northside Drive, NW
 Suite 128
 Atlanta, GA 30318-4220

First Premier Bank
 601 S Minnesota Ave
 Sioux Falls, SD 57104-4868

Fst Premier
 601 S Minnesota Ave
 Sioux Falls, SD 57104-4824

GEORGIA DEPARTMENT OF REVENUE
 COMPLIANCE DIVISION
 ARCS BANKRUPTCY
 1800 CENTURY BLVD NE SUITE 9100
 ATLANTA GA 30345-3202

Internal Revenue Service
 Centralized Insolvency Operations
 P.O. Box 7346
 Philadelphia, PA 19101-7346

JEFFERSON CAPITAL SYSTEMS LLC
 PO BOX 7999
 SAINT CLOUD MN 56302-7999

Kay Jewelers
 375 Ghent Rd
 Fairlawn, OH 44333-4600

Lavonne Curry
 3102 Imperial Circle
 Atlanta, GA 30311-5209

PRA Receivables Management, LLC
 PO Box 41021
 Norfolk, VA 23541-1021

Portfolio Recovery Ass
 120 Corporate Blvd Ste 1
 Norfolk, VA 23502-4952

PORTFOLIO RECOVERY ASSOCIATES LLC
 PO BOX 41067
 NORFOLK VA 23541-1067

U. S. Attorney
 600 Richard B. Russell Bldg.
 75 Ted Turner Drive, SW
 Atlanta GA 30303-3315

U.S. Auto Finance
 P.O. Box 1203
 Lawrenceville, GA 30046-1203

U.S. Department of Housing and Urban Develop
 451 7th Street S.W.
 Washington, DC 20410-0002

US Department of Housing and Urban
 Development
 451 7th Street SW
 Washington, DC 20410-0001

Us Auto Finance/us Auto
 824 N Market St Ste 220
 Wilmington, DE 19801-3024

World Finance Corporat
 2640b Metropolitan Pkwy
 Atlanta, GA 30315-7902